



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter of:** Lockheed Aeromod Center Inc.--Reconsideration  
**File:** B-239672.3  
**Date:** October 30, 1990

Raymond S.E. Pushkar, Esq., and Alison L. Doyle, Esq., McKenna & Cuneo, for the protester.  
Thomas P. Barletta, Esq., Steptoe & Johnson, for Intertec Aviation, an interested party.  
Christina Sklarew, Esq., and Michael R. Golden, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

### DIGEST

Where an interested party was on notice of the protest, but did not choose to file any comments with regard to the issues raised therein, that party is not eligible to request reconsideration.

### DECISION

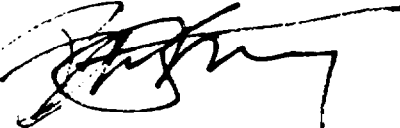
Lockheed Aeromod Center Inc. requests reconsideration of our decision in Intertec Aviation, B-239672; B-239672.2, Sept. 19, 1990, 69 Comp. Gen. \_\_\_, 90-2 CPD ¶ 232, in which we determined that the protester had been improperly excluded from the competitive range. We recommended that negotiations be reopened with the protester's proposal included and that a new round of best and final offers be solicited. Lockheed, the awardee of the contract that was the subject of these protests, objects to the remedy recommended in our decision. Lockheed requests that we modify our recommended remedy because its contract price and the price of certain delivery orders issued under the contract have been released to third parties.

Lockheed did not participate in the protest as an interested party. Our Bid Protest Regulations provide that only the protester, an interested party who participated in the protest, or a federal agency involved in the protest may request reconsideration of a decision by our Office. 4 C.F.R. § 21.12(a) (1990). See Jervis B. Webb Co.; Eaton Kenway, Inc.--Recon., B-218110.2, Feb. 11, 1985, 85-1 CPD ¶ 181.

04271/142573

Although Lockheed concedes that it does not have standing to challenge the substance of the decision, it urges that we allow it to seek review of the remedy portion of the decision. Our Regulations make no such distinction, however.

The request for reconsideration is denied.

A handwritten signature in black ink, appearing to read 'R. Strong', with a large, sweeping flourish extending to the right.

Robert M. Strong  
Associate General Counsel